

B

TFW

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q62740

Masahiro MAEDA

Appln. No.: 09/765,639

Group Art Unit: 2128

Confirmation No.: 6818

Examiner: Herng Der DAY

Filed: January 22, 2001

For: METHOD OF EVALUATING REFLECTION PERFORMANCE OF REFLECTING MIRROR, EVALUATION SYSTEM FOR EVALUATING REFLECTION PERFORMANCE OF REFLECTING MIRROR, AND COMPUTER-READABLE STORAGE MEDIUM STORING PROGRAM FOR EVALUATING ET AL.

COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

ATTN: MAIL STOP ISSUE FEE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

REMARKS

Applicant offers the following comments in response to the Examiner's Statement of Reasons for Allowance set forth on page 2 of the Notice of Allowability dated July 6, 2006.

In the Reasons for Allowance the Examiner states that independent claim 1 is directed at a method of evaluating the reflection performance of a reflecting mirror designed for a vehicle lamp as show in Fig. 3. However, Applicant respectfully submits that Fig. 3 merely illustrates an exemplary embodiment of the present invention and that the scope of claim 1 is not limited in any way by the illustrations shown in Fig. 3. Quite to the contrary, Applicant submits that the

scope of claim 1 is defined solely by virtue of the recitations set forth in claim 1, and submits that claim 1 is allowable *at least* by virtue of these recitations.

In addition, the Reasons for Allowance merely loosely paraphrase the recitation of claims 1, 15 and 18, and therefore do not accurately restate the claimed invention. Thus, Applicants respectfully submit that claims 1, 15 and 18 are allowable by virtue of the recitations set forth therein, and not because of the Examiner's inaccurate paraphrasing or the addition of language that may have been made by the Examiner.

Moreover, the Reasons for Allowance state that claims 15 and 18 recite equivalent method limitations as in allowable claim 1, and that claims 15 and 18 are therefore allowable for the same reasons as claim 1. Applicants respectfully submit that claims 15 and 18 are distinct independent formulations of the present invention which are not identical to the recitations of claim 1. Therefore, the Reasons for Allowance are deficient by failing to acknowledge that independent claims 15 and 18 were allowed for independent reasons.


Patent Office personnel are requested to note that the present submission does not adversely affect the patent term adjustment accrued by the Applicant to date. As emphasized in the "Clarification of 37 C.F.R. §1.704(c)(10) – Reduction of Patent Term Adjustment for Certain Types of Papers Filed After a Notice of Allowance Has Been Mailed," 1247OG111 (6/26/01), "a response to the examiner's reasons for allowance" is an example of a paper that does "not cause substantial interference and delay in the patent issue process" and is "not considered a 'failure to engage in reasonable efforts' to conclude processing or examination of the application."

**Comments on Examiner's Statement
of Reasons for Allowance
U.S. Serial No. 09/765,639**

Attorney Docket No.: Q62740

Therefore, the Applicant remains entitled to the full patent term adjustment set forth on page 3 of the Notice of Allowance dated July 7, 2006.

Respectfully submitted,



Andrew J. Taska

Registration No. 54,666

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: September 18, 2006